

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GLOCK, INC.)	
)	
Plaintiff,)	
)	Case No. 1:12-CV-0136-AT
v.)	
)	
GLOBAL GUNS & HUNTING,)	
INC. d/b/a OMB GUNS and)	
JOHN RALPH, III,)	
)	
Defendants.)	

**GLOCK, INC.’S RESPONSE TO JOHN RALPH, III’S MOTION TO
DISMISS THE AUGUST 18, 2016 DEFAULT JUDGMENT**

COMES NOW Plaintiff Glock, Inc. (“Glock”) by and through counsel, and respectfully submits its response in opposition to John Ralph, III’s (“Ralph”) motion to dismiss the August 18, 2016 default judgment.

Glock filed a response to the September 30, 2016 Order (Doc. No. 208) on October 24, 2016 (Doc. No. 209),¹ in which it, among other things, advised that it is feasible to print all of the information contained in Exhibit No. 45, a disk containing

¹ The September 30, 2016 Order directed Glock to file a response regarding the data on Exhibit No. 45 within two days of the “docketing of Mr. Ralph’s notice” advising whether he was able to access the data. To date, Ralph’s response has not been filed on the docket.

the QuickBooks (.qbb) and eBound (.mdb) data, and mail it to Ralph in prison. On October 31, 2016, this Court issued an Order, in which it noted “that Mr. Ralph has paper copies of the most relevant portions of Exhibit 45 in Glock’s Exhibit 9, and that Mr. Ralph can review the remainder of the data on the Exhibit 45 disc once he is released from prison.” (Doc. No. 210 at 2).

On November 1, 2016,² Ralph filed a motion to dismiss (Doc. No. 211), on the mistaken basis that Glock had “failed to comply with the Court’s directive” to advise whether the data on Exhibit 45 could be printed and mailed to him in prison. As Ralph conceded in a November 2, 2016 email, he has received Glock’s response to this Court’s September 30, 2016 Order, as well as this Court’s October 31, 2016 Order.

For the above reasons, and because the provisions in the Federal Rules of Civil Procedure cited by Ralph do not authorize the dismissal of a judgment, Glock respectfully requests that this Court deny Ralph’s motion to dismiss.

Dated: Atlanta, Georgia
November 11, 2016

Respectfully submitted,

By: /s/ Christopher E. Parker
Christopher E. Parker

² According to the certificate of service, the motion had been mailed from prison on October 25, 2016.

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– and –

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CERTIFICATE OF COMPLIANCE WITH LR 7.1(D)

I certify that the foregoing Response in Opposition to John Ralph, III's Motion to Dismiss the Default Judgment has been prepared using Times New Roman 14 point font, one of the approved font and point selections specified in LR 5.1(C), NDGa.

/s/ Christopher E. Parker
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CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2016, I served Glock, Inc.'s Response in Opposition to John Ralph, III's Motion to Dismiss the Default Judgment by U.S. Mail, postage prepaid, addressed to:

Global Guns & Hunting, Inc. d/b/a OMB Guns
15765 S. Keeler Street
Olathe, KS 66062

– and –

John Sullivan Ralph
Register Number: 24538-031
FPC Yankton
Federal Prison Camp
P.O. Box 700
Yankton, SD 57078

/s/ Christopher E. Parker
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